

REMARKS

In view of the above amendments and the following remarks, reconsideration of the objections and rejections contained in the Office Action of November 2, 2007 is respectfully requested.

The Examiner objected to the specification due to various informalities. In particular, the Examiner required correction of several typographical errors throughout the specification. In order to address the specific errors cited by the Examiner, as well as to make additional editorial corrections so as to place the application in a preferred form, the entire specification and abstract have now been reviewed and revised. As the revisions are quite extensive, the amendments to the specification and abstract have been incorporated into the attached substitute specification and abstract. For the Examiner's benefit, a marked-up copy of the specification indicating the changes made thereto is also enclosed. No new matter has been added by the revisions. Entry of the substitute specification is thus respectfully requested. In view of the above amendments, it is submitted that the Examiner's objections to the specification have been overcome.

The Examiner objected to claim 7 due to an informality. However, as indicated above, original claims 1-10 have been cancelled and replaced with new claims 11-16, including new independent claim 11. The new claims have been drafted to address the Examiner's objections to the original claims, and so as to comply with all of the formal requirements of US patent practice. Therefore, it is respectfully submitted that the Examiner's objections to the original claims are not applicable to the new claims.

The Examiner rejected claims 1-5, 7, 9, and 10 as being anticipated by the Neuber reference (USP 5,909,981); rejected claim 6 as being unpatentable over the Neuber reference in view of the Nelson reference (USP 5,379,479); and rejected claim 8 as being unpatentable over the Neuber reference in view of the Majewski reference (USP 6,264,397). However, as noted above, the original claims have now been cancelled and replaced with new claims 11-16. For the reasons discussed below, it is respectfully submitted that new independent claim 11 and the claims that depend therefrom are clearly patentable over the prior art of record.

A discussion of the features and advantages of the present invention as recited in new claims 11-16 will now be provided with reference to various portions of the present application. However, reference to any particular portions of the specification or the drawings is provided

only for illustrative purposes, and is not intended to otherwise limit the scope of the claims to any particular embodiment.

New independent claim 11 is directed to a floor surface finishing device that comprises a plane leveling machine 5 including a plurality of rotary blades 4, a planar finishing blade 8 located in an outer periphery of an area of rotation of the rotary blades 4, and a plump bob 15 for pressing the finishing blade 8 against the floor surface to be finished 2a (see Figures 1 and 2). At least a portion of the finishing blade 8 is formed of a flexible elastic plate (see page 19, lines 12-16 of the original specification), and the finishing blade 8 is angled upwards toward a center axis of rotation C of the rotary blades 4 (see page 16, lines 11-15 of the original specification), and is operable to contact the floor surface to be finished 2a after the rotary blades 4 have contacted and passed over the floor surface to be finished (see page 3, lines 14-17 of the original specification). The combination of features allow the floor surface finishing device to produce a more precisely finished surface with a more uniform flatness and fewer defects, with reduced strain on the persons performing the work.

In addition to the above features, the finishing blade 8 is connected to the plane leveling machine 5 such that the finishing blade is operable to (1) move in directions toward and away from the floor surface to be finished (see page 17, lines 7-15 of the original specification), **and** (2) *swing around the rotary blades 4* (see page 18, lines 1-17, and page 5 lines 21-23 of the original specification, and Figure 2). Because the finishing blade is connected to the plane leveling machine to allow the finishing blade to move in directions toward and away from the floor surface to be finished, the finishing blade can be easily handled, thereby improving the operability of the floor surface finishing device and reducing the burden on the user (see page 7, lines 21-24 and page 17, lines 7-15 of the original specification). Because the finishing blade 8 is connected to the plane leveling machine 5 such that the finishing blade 8 is operable to *swing around the rotary blades 4*, obstacles such as holes, grooves, or pillars can be avoided, thereby improving safety and further improving operability (see page 5, line 23 through page 6, line 2; page 8, lines 9-12; and page 18, line 20 through page 19, line 2 of the original specification). In addition, connecting the finishing blade 8 to the plane leveling machine 5 such that the finishing blade 8 is operable to swing around the rotary blades 4 also greatly improves the appearance and flatness of the finished floor surface. Specifically, because the finishing blade 8 is operable to swing around the rotary blades 4, the finishing blade 8 can move freely side-to-side relative to the

plane leveling machine 5 (and vice-versa). As a result, the inevitable and undesirable swaying or vibrating motion of the plane leveling machine 5 will not be transmitted to the finishing blade 8. Thus, the forward movement of the finishing blade will not be undesirably affected by any undesirable movement of the plane leveling machine, thereby producing a more level and appealing surface finish.

The Neuber reference teaches a system for finishing a concrete floor which includes a straight edge 30 connected to a riding trowel 16. At the bottom of page 3 of the outstanding Office Action, the Examiner asserted that the finishing blade (straight edge 30) of the Neuber reference is rotatable around the rotary blades of the riding trowel 16, and referred to portions of the description in columns 5 and 6 of the Neuber reference as support for this assertion. However, the Applicants respectfully disagree that the Neuber reference teaches a finishing blade that is rotatable around rotary blades. The Neuber reference (and specifically columns 5 and 6) teach that lift actuators 36 are coupled to the straight edge 30 for providing vertical movement of the straight edge 30 (see column 5, lines 18-24), and that pivot actuators 40 are coupled to the straight edge 30 for pivoting the straight edge 30 about a longitudinal axis 300 of the straight edge 30 to change an angle of inclination of the straight edge 30 (see column 5, lines 29-38 of the Neuber reference). However, the Neuber reference does not teach any components that rotate the finishing blade (straight edge 30) around the rotary blades.

The original language of independent claim 1 has now been slightly modified to clarify the relationship between the finishing blade and the rotary blades. In particular, the original term “rotatable” has been replaced with the term “swing” in an effort to more accurately reflect the feature described above and in the original disclosure. In this regard, it is submitted that the Neuber reference clearly does not teach or even suggest a finishing blade which is connected to a plane leveling machine such that the finishing blade is operable to *swing around the rotary blade*. In contrast, the Neuber reference teaches that frame extensions 44 are fixed to the frame 162 of the riding trowel 16 for supporting the straight edge 30 (see column 5, lines 58-62). It is clear from simply viewing Figure 5 of the Neuber reference that the fixed frame extensions 44 will prevent the straight edge 30 from rotating (swinging) about the rotary blades of the riding trowel 16. Because the Neuber reference does not teach or even suggest a finishing blade connected to a plane leveling machine such that finishing blade is operable to swing around the

rotary blades, it is submitted that the Neuber reference does not anticipate or even render obvious new independent claim 11.

In addition, the Nelson reference and the Majewski reference also do not teach or even suggest a floor surface finishing device in which a finishing blade is connected to a plane leveling machine such that the finishing blade is operable to swing around the rotary blades. Therefore, there would be no apparent reason for one of ordinary skill in the art to combine these references with the Neuber reference so as to obtain the invention recited in new independent claim 11. Accordingly, it is respectfully submitted that new independent claim 11 and the claims that depend therefrom are clearly patentable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. However, if the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact the Applicant's undersigned representative.

Respectfully submitted,

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